

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

THURSDAY, THE 1ST MARCH 2007 / 10TH PHALGUNA 1928

WP(C).No. 5280 of 2007(C)

PETITIONER:

MRS. SHOBHANA JOHN,
CHENGAMANATTU HOUSE, PUNNAKKADU, KEERAMPARA P.O.,
KOTHAMANGALAM.

BY ADV. SRI.T.S.RADHAKRISHNA PILLAI
SRI.T.R.RAJEEV

RESPONDENTS:

1. STATE OF KERALA,
REPRESENTED BY THE SECRETARY TO THE GOVERNMENT,
FOOD, CIVIL SUPPLIES & CONSUMER AFFAIRS DEPARTMENT,
THIRUVANANTHAPURAM.
2. THE DISTRICT SUPPLY OFFICER, ERNAKULAM.
3. THE TALUK SUPPLY OFFICER, KOTHAMANGALAM.

*ADDL.R4 IS IMPEADED:

R4. RAVI. M.M.,
S/O.MADHAVAN, AGED 38 YEARS,
MUTHUKATTU HOUSE, PUNNEKKADU, KEERAMPARA P.O.,
KOTHAMANGALAM TALUK.

(ADDL.R4 IS IMPEADED AS PER ORDER DTD. 1/03/2007
IN I.A.NO.3228/2007)

BY ADV. SRI.C.K.PAVITHRAN
BY GOVERNMENT PLEADER SRI. I.V.PRAMOD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 01/03/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

THOTTATHIL B. RADHAKRISHNAN, J.

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W.P.(C) No. 5280 Of 2007

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Dated this the 1st day of March, 2007.

J U D G M E N T

The petitioner is a daughter in law of one Kuruvila Kuriakose who is a licensee of ARD No.14 in Kothamangalam taluk. By Ext.P1, he wanted that shop to be transferred in favour of his daughter in law, on the ground that owing to old age and ill health he is unable to conduct that shop and his heirs are not interested in taking over that shop. That led to Ext.P2 proceedings of the District Supply Officer holding that being not in the list of heirs she is not entitled to an order as sought for by her father in law. The petitioner filed a revision before the Government and Ext.P4 judgment was issued by this Court directing the Government to re-hear that revision, since the order passed by the Government was one without any notice to her. In the meanwhile, petitioner continued as temporary ARD on the strength of Ext.P2 order. As against that temporary ARDs, office of the statutory authority invited applications for appointment of regular ARDs and selection process is going on. The petitioner is also an applicant. The impleaded additional respondent is also an applicant. There may

be other applicants also. Under such circumstances, it is directed that the selection process shall go on and shall be finalised however, it shall not be given effect until a final decision is taken by the Government on the request of the petitioner, following Ext.P4 judgment. Following Ext.P5 the petitioner will be given one more chance to appear before the competent officer in the Government and the petitioner will ensure that appropriate representations is made before the Government since the matter cannot be dragged on indefinitely.

This writ petition is disposed of with the above direction.

**THOTTATHIL B. RADHAKRISHNAN,
JUDGE.**

sj